

# EXHIBIT A

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED CENTRAL BANK,	)	
	)	
Plaintiff,	)	10 CV 331
	)	
v.	)	Judge Feinerman
	)	
KANAN FASHIONS, INC.	)	
CREATIVE WAREHOUSING(Chicago), LLC,	)	Magistrate Judge Mason
KANAN CRUISES, INC.,	)	
KANAN HOLDINGS, LLC, VARSHA SHAH,	)	
AND MEHUL SHAH,	)	
	)	
Defendants.	)	

**DEFENDANTS' AMENDED CHRONOLOGY OF ESI**

Now come defendants Kanan Fashions, Incorporated (“Kanan”), Creative Warehousing (Chicago), LLC (“CW”), Kanan Cruises, Inc. (“Kanan Cruise”), Kanan Holdings, LLC (“KH”), Varsha Shah (“Mrs. Shah”), and Mehul Shah (“Mr. Shah”), (collectively “Defendants”), and for their Amended Chronology of ESI state as follows:

As this Court knows, current counsel for defendants appeared in this case on October 7, 2010. Therefore, all information current counsel has regarding ESI in this case has been rebuilt based on what is in the record, what defendants recall or what the defendants have been able to retrieve from their own email. ESI was controlled by the defendants’ former counsel (“respondents”). All ESI communications with plaintiff were controlled by respondents. Any requests made by respondents regarding ESI that are in defendants possession are included in the chronology below, as well as defendants actions based on those requests. As defendants were not in control of the ESI, this

chronology is not an attempt to recreate what prior counsel has done regarding ESI, it only reflects what defendants can recall or provide documentation.

Date	Author	Summary of contents
02/19/10	ARB	Email from former counsel re: filing of ESI agreement
02/23/10	PJ	Email to/from former counsel and Paresh Joshi re: locations of server and employees
02/26/10	MS, DC, BS SB	First Midwest Bank approaches Mehul Shah to consent on foreclosure of warehouse. Mehul Shah and Steve Blumenthal meet with Dave Clark and Bill Serritella of First Midwest Bank and discussed leasing warehouse back to defendants as is if back in business. Defendants then requested First Midwest negotiate the lease back on server. Following their meeting, Mehul Shah emails Dave Clark the lease loan and customer numbers.
03/01/10	MS and DC	Emails to/from Dave Clark and Mehul Shah re: a copy of the equipment list pursuant to the Associated Bank lease in preparation of Dave Clark's meeting with Associated Bank.
03/05/10	DM	Email from former counsel re: defunct server, computers, server and other related computer equipment
03/15/10	DC and MS	First Midwest Bank records deed in lieu of foreclosure on the warehouse.
03/15/10	MS	Emails from Dave Clark requesting another copy of the equipment list sent on March 1.
03/16/10	DC, PJ and MS	Emails from Dave Clark requesting another copy of the equipment list sent on March 1.
04/06/10	DC	Email from Dave Clark to Mehul Shah advising re-negotiations with Associated Bank
04/14/10	VD	Email from Plaintiff to former counsel re: third party claims to server/systems
04/16/10	EGM	Email from former counsel setting date of 4/23/10 for have joint meeting at Kanan's office for inspection of failed drive/server and discussion for the same
04/16/10	PJ	Email from Defendants to former counsel re: lack of third party claims to computers
04/19/10	EGM	Email from former counsel to Plaintiff Eric stating that "There is currently no creditor repossession effort by lawsuit or other demand"
04/20/10	VD	Email from Plaintiff requesting joint meeting to inspect and repair failed
End 4/10- early 5/10	MS, PJ, DC and ARB	drive in front of attorney and their computer consultant.
04/28/10	EGM	Telephone communication with Defendants, former counsel and Bank re: access to server and need for subpoena
04/28/10	EGM	Email from counsel to ask if Defendants should make an offer to pay internal IT for his assistance with ESI
		Letter from former counsel to Plaintiff re: ESI production

04/28/10	PJ	Email from Defendant to former counsel re: progress on moving boxes and taking pictures, per former counsel's instruction
04/29/10	EGM	Letter from former counsel to Plaintiff outlining Defendants' ESI status
05/05/10	VD	Letter from Plaintiff responding to our ESI production request
05/05/10	ARB	Email from former counsel re: internal IT person
05/07/10	ARB	Email from former counsel re: responses to interrogatories and ESI.
		Email from former counsel re: status on the transport of the warehouse server and other personal computers to Oakbrook office
05/11/10	EGM	Email from former counsel re: the names of custodians of the computers.
05/11/10	EGM	Letter from former counsel to Plaintiff in response of Plaintiff's 5/4/10 letter
05/12/10	EGM	Email from former counsel re: damaged server
05/12/10	ARB	Emails to/from former counsel and Defendant that First Midwest is working with Associated Bank to resolve the matter of server access and that the computers (server) are still at the warehouse.
05/13/10	PJ	
05/14/10	ARB	Email from former counsel to Plaintiff re: status of ESI
05/19/10	EGM	Email from former counsel to stop printing emails
05/19/10	ARB	Email from former counsel re: Judge Mason's rulings
05/19/10	EGM	Email from former counsel with alternatives about how to proceed about ESI going forward.
05/24/10	ARB	Email from counsel re: internal IT replacement
05/25/10	EGM	Email from former counsel re: access to server
05/25/10	EGM	Letter from former counsel to Plaintiff re: ESI production from Plaintiff
05/26/10	EGM	Correspondence from former counsel re: status of back up tapes and cataloging efforts
05/26/10	ARB	Correspondence between Plaintiff and former counsel re: ESI status in Texas and Chicago
05/27/10	EGM	Letter from former counsel re: conference call of back-up tapes, servers, hardware and software
06/03/10	ARB	Email from former counsel that Plaintiff filed corrected motion to limit ESI discovery - Protective Order
06/10/10	EGM	Correspondence from former counsel re: requirements of the I.T. person to be appointed
06/11/10	ARB	Former counsel forwarded letter from Plaintiff re: ESI
06/17/10	ARB	Former counsel filed motion in opposition to Protective Order
06/22/10	EGM	Correspondence from former counsel re: approval of new ESI IT appointee
06/28/10	DC	Email from Dave Clark to Mehul Shah regarding offer from Associated Bank for the server
06/28/10	MS	Email from Mehul Shah to Dave Clark regarding counteroffer or settlement of deal to re-lease server from Associated Bank, further advising it would take Shah until end of July to raise money to close on deal
07/01/10	EGM	Email between former counsel and new ESI liaison
07/13/10	ARB	Email from former counsel re: motion filed by Plaintiff for extension on ESI
07/15/10	ARB	Email from former counsel re: forwarded letter dated 7/14/2010 from Plaintiff

07/23/10	EGM	Email from former counsel with the updates on ESI
07/29/10	ARB	Email from former counsel re: supplemental reply from the bank
07/29/10	ARB	Email from former counsel re: sur-reply from the bank
08/04/10	ARB	Letter from former counsel to Mehul Shah re: ESI issues and server
8/3/2010 to 8/9/2010	EGM	Email communications between former counsel, Defendants and ESI liaison re: Great Plains data
8/9/10	MS	Email from Mehul Shah to Dave Clark advising he will not be able to obtain financing to re-lease server from First Midwest Bank until August 16
08/13/10	ARB	Email from former counsel with the Judge's opinion dated 8/12/10 about limiting ESI data
08/13/10	EGM	Email from former counsel summarizing points for going before the court on 8/26/2010 with ESI Liaison, server, back-ups and email
08/20/10	ARB	Email from former counsel to be present in the court on 8/26/10
08/20/10	EGM	Email from former counsel re: response to Plaintiff on its inquiry of 7/14/10
08/24/10	ARB	Email from former counsel re: letter from Plaintiff in response to letter dated 8/20
08/30/10	DC	Email from Dave Clark to Mehul Shah advising he finalized the server transaction with Associated Bank and sold the server to a buyer in Dubai
08/31/10	MS	Email from Mehul Shah to Dave Clark asking who has the master lease and guarantee of the server
08/31/10	DC	Email from Dave Clark to Mehul Shah advising the purchaser of the server purchased the guarantee and master lease
08/31/10	ARB	Email from former counsel re: sale of server by Dave Clark
08/31/10	EGM	Email from former counsel re: Plaintiff's email about custodians and search terms.
09/03/10	EGM	Email from former counsel re: ESI liaison status on Great Plains data and back-ups
09/05/10	EGM	Email from former counsel re: external hard drives
09/09/10	EGM	Email from former counsel re: e-mail exchange between him and Plaintiff about custodians and search terms.
09/10/10	EGM	Email from former counsel re: gmail passwords
09/13/10	EGM	Email from former counsel re: pending points and loss of ESI liaison, substitution of new ESI liaison
09/14/10	EGM	Email from former counsel with his reply to Plaintiff re: custodians and search terms.
09/20/10	EGM	Email from former counsel to Plaintiff re: finding of Great Plains data on server

Respectfully submitted,

KANAN FASHIONS, INC., CREATIVE  
WAREHOUSING (Chicago), LLC,  
KANAN CRUISES, INC., KANAN  
HOLDINGS, LLC, VARSHA SHAH, AND  
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By: One of their attorneys

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**COUNSEL FOR DEFENDANTS**

Dated: November 19, 2010